

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, January 7, 2003, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Councilman Lull: "Call the meeting to order. Vince, would you like to lead us in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited, led by Vince.)

Councilman Lull: "Begin the meeting just by indicating to you that the Supervisor is returning from a meeting and will be here shortly but we saw no reason to delay our getting underway.

Motion to approve the minutes of the Town Board meeting of December 17, 2002, and the special meeting, December 30th, also 2002."

Councilwoman Blass: "So moved."

Councilwoman Sanders: "And seconded."

Councilman Lull: "Moved and seconded."

The Vote: "Blass, yes; Sanders, yes; Densieski, yes; Lull, yes. 4 yes and 1 absent."

Councilman Lull: "Madam Clerk, Reports."

REPORTS:

Receiver of Taxes

Utility collections report,
total collected was
\$133,569.57

Tax collection report, total

collected to date was
\$8,325,423.35

Town Clerk

Monthly report for December,
total collected was \$8,053.54

Animal Control

Annual report for 2002

Bid Notice

Decorative street clock -
opened on 12/30/02, at 11 am
two bids were received

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Applications."

APPLICATIONS:

Special permit

Patricia Wysocki, 1319 Pulaski
Street, use existing structure
for wholesale with retail
sales as an accessory use

Site Plans

Amended - The Bluffs at
Baiting hollow frame garage
Amended - Omnipoint Communica-
tions
Amended - Eagle Auto Mall
Amended - Aircraft Warehousing
Inc.

Shows & Exhibition Permit

Riverhead BID, July 18th to
the 20th, 2003 Blues Festival

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you. Correspondence."

CORRESPONDENCE:

John McGoey

Letter of resignation as Bingo
Inspector

Jane van de Thoorn

Letter of Resignation

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: I'm not sure if there is any Committee
reports. It's the first of the year."

Councilman Lull: "As a matter of fact- "

Supervisor Kozakiewicz: "Oh."

Councilman Lull: "Go ahead."

Councilman Densieski: "On January 16th, the Handicapped Advisory Committee will be hosting an awareness exercise. We've invited the entire Town Board to spend the entire day at Town Hall in a wheelchair. The exercise is to better understand the daily struggles of life in a wheelchair and all the Board members did respond positively so the next work session we will be in wheelchairs."

Supervisor Kozakiewicz: "Boy, I'm not even going to touch that one. Jim?"

Councilman Lull: "Two things. First of all, everybody out there can see them, nobody back here can see them but the placards that are sitting in front of us no longer identify us as Councilmen and Councilwomen. It's been a year now. It's about time we stop segregating. They'll be changed next year- next meeting. We'll talk about at the next work session what we're going to call ourselves. But they need to be same sex of some sort."

Also, Barbara mentioned the animal control report for 2002, and I just want to point out to everybody that is available and we'll make it available to anybody, the press, so forth. But it is truly an extraordinary report, certainly the best that we have ever had in town.

The reports are- the numbers are truly extraordinary. I said that before and I really say that again. The people that work up there in our less than extraordinary facility are doing a wonderful job. The number of redemptions and adoptions are way up and everything is on a parallel to our neighbor to the south who prides themselves on their multimillion dollar facility and how well they're doing, and we are exactly percentage for percentage the same as they are. And I am really pleased at the job the people have done and I congratulate Animal Control Officer Lou Carnesi (phonetic) and his crew for their job."

Supervisor Kozakiewicz: "Thank you. Any other Committee reports? The time of 7:05 p.m. having arrived, Barbara, would you read the affidavits of publishing for tonight's public hearing?"

Public Hearing opened: 7:05 p.m.

Barbara Grattan: "I have affidavits of publishing and posting

for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on January 7, 2003 at 7:05 p.m. regarding the special permit petition of Peter Soullas to locate a two family dwelling within an existing accessory structure located on a 1.9 acre parcel lying on property located at 146 Sound Avenue, Riverhead."

Supervisor Kozakiewicz: "Harvey, we have this peculiar provision in our special permit ordinance which requires you to be sworn. Do you have any other witnesses who are also going to testify?"

Harvey Arnoff: "I don't believe so."

Supervisor Kozakiewicz: "Okay. Raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Harvey Arnoff: "I do."

Supervisor Kozakiewicz: "Thank you."

Harvey Arnoff: "I'd like to give the Town Clerk the affidavit of posting and the affidavit of mailing. Before I begin, I have a question and my question is, it's been puzzling me as to why I'm here. That may sound stupid also, but it would seem to me that predicated upon the decision of the Planning Board which recommended disapproval- you referred this matter, this special permit to the Planning Board. The Planning Board sent it back saying the units are too small. I would think the next step would be the Zoning Board of Appeals because I don't think that you're empowered to grant the permit for an undersized unit absent Zoning Board of approval- Zoning Board of Appeals approval or the appeals process going beyond the Zoning Board of Appeals. I think they are the Board of original jurisdiction.

Having said that, my question is, I'm prepared to go forward on the application here tonight but I don't know quite what to do with it. Okay? Because I think if you read the June 24th decision of the Planning Board which I have many times, the only thing they seem to not like is the fact that the square footage of the building is 14- it amounts to 720 square feet per unit in a 900 square foot- "

Supervisor Kozakiewicz: "Yeah. Our code requires a minimum of 900 square feet."

Harvey Arnoff: "Ergo we end up in the Zoning Board of Appeals under normal circumstances to see if we can get an area variance. The question now is, how do I get there? Okay. And I obviously didn't get there from the Planning Board, I'm back here again. We've complied. The application on its face, you know, is simple. We've

been down this road before with this. All we're trying to do is to come into compliance. The building is what it is. We can't stretch it and make it 900 square foot per unit. We can't make it bigger. We could expand the building but I mean then we're back into a whole other can of worms."

Supervisor Kozakiewicz: "This is the building that's on the corner?"

Harvey Arnoff: "It's the building on the corner. It's the existing building. It's unchanged as far as the exterior configuration of the building. So my question is and I know it's unusual, okay, having done a fair amount of work with municipal agencies, where do we go? Do we stay here right now and I question- I haven't ever done this before- the power of this Board absent a determination by the Zoning Board of Appeals to do anything.

I think the correct, again I'm not your attorney, but I think the correct procedure tonight would be in lieu of holding the public hearing, to pass a resolution sending this for consideration to the Zoning Board of Appeals based upon the statement of the Planning Board. And then we would have the opportunity to present our case to the Zoning Board of Appeals, have them then render an opinion and then we can come here armed with the determinations of both Boards.

I mean, if they both turn us down, you then are an appellate authority in that instance. If the other one approves it, then the issue, the negative issue is found by the Planning Board ceases to exist."

Supervisor Kozakiewicz: "I think that with respect to the variance issue, your question is certainly one that's on target and it would seem to me that from just dealing with this from a General Municipal Law standpoint or even from our own town code standpoint, we've got to refer you to the ZBA for a variance from that."

Harvey Arnoff: "That's fine."

Supervisor Kozakiewicz: "However, I don't think that obviates and I'm questioning as far as the need to come back here, I think you still have to come back. Correct?"

Harvey Arnoff: "Oh, I don't think it does either."

Supervisor Kozakiewicz: "You still have to come back. Correct? Would you suggest that we re-notice this or leave this open?"

Harvey Arnoff: "I would ask that you leave this hearing open and that we- "

Supervisor Kozakiewicz: "Because I think that's what- our counsel also agrees on that point."

Harvey Arnoff: "And that we defer any further comment and anybody who's here who wishes to speak can perhaps register with your Town Clerk so that they could be given a notice of the adjourned date, ultimate adjourned date of this hearing. I would- if they're here, I will undertake to do that myself if the Town Clerk gives me the list, or the Town Clerk can do it. I mean- "

Supervisor Kozakiewicz: "Why don't we do this? I don't have the dates in front of me. We can take the list, adjourn this and put it on for a date in our March- "

Harvey Arnoff: "I think March is unrealistic."

Supervisor Kozakiewicz: "-- so we have a status day and then in the meantime can go to the Zoning Board of Appeals and we have a date decided on the record today."

Harvey Arnoff: "That- fine. If I can get to the Zoning Board of Appeals and have a decision by March, I'm there."

Supervisor Kozakiewicz: "Okay. So April, beginning of April. I know we're cutting it close."

Harvey Arnoff: "Okay. Whatever your direction is we're going to follow."

Supervisor Kozakiewicz: "Do we have a calendar of what that date is? If we can find out what that date and then in the meantime while we're searching for a date, is there anybody who was here to address the Board with regard to the special permit of Peter Soullas who has a question of what we're doing? Okay. So what we'll do is we'll provide you- I'm going to hold this in abeyance, start our other hearing, Harvey, and as soon as we get the date, we'll come right back and I'll give you the date."

Harvey Arnoff: "Okay."

Supervisor Kozakiewicz: "We'll put that on the record."

Harvey Arnoff: "Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Public Hearing adjourned to April 22, 2003

Public Hearing opened: 7:11 p.m.

Supervisor Kozakiewicz: "At this point, if you would read the affidavits of publishing and posting, Barbara, for our second public hearing, the time being 7:11 p.m."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on January 7, 2003, at 7:10 p.m. regarding the special permit petition of Riverhead Marquee, LLP to allow the construction of a multi-screen indoor theater and two restaurants upon property located at Route 58, Riverhead."

Supervisor Kozakiewicz: "Thank you, Barbara."

Stuart Stein: "With the consent of the Board, I would like to hand up to the Town Clerk the affidavit of posting and the affidavit of mailing."

Barbara Grattan: "Thank you very much."

Supervisor Kozakiewicz: "I was going to say is there some way we can- I was going to- is there a second set that we can somehow reconfigure and try and also have the audience and the public see this? Is that entirely possible? Is there a second set of drawings?"

Stuart Stein: "I have a second set of drawings but they're not mounted."

Supervisor Kozakiewicz: "Okay. What I'm looking to do is maybe something that the audience because I see them straining to look up here and see what it is that's being discussed so that maybe both of us can view it at the same time would maybe help the process along. So maybe the question is that-- would be answered simply by seeing--"

Stuart Stein: (Inaudible)

Supervisor Kozakiewicz: "Display. For the record, your name and address, please."

Stuart Stein: "My name is Stuart Stein. Good evening. I'm a principal of the applicant tonight. My address is 400 Garden City Plaza, Garden City, New York."

Supervisor Kozakiewicz: "As I mentioned with the prior special permit hearing, we do require all witnesses who are going to present evidence in a special permit petition or hearing to be sworn. May I swear you in?"

Stuart Stein: "Yes. I would also like to ask you, Carmine Dellaquila, Lou Kalogeras, and Chip Voorhis, if they can all be sworn at the same time?"

Supervisor Kozakiewicz: "Why don't we put their appearances on the record as well, if you could, so that we have them on the record."

Carmine Dellaquila: "Carmine Dellaquila, 1 Waterview Drive, Port Jefferson."

Barbara Grattan: "Could you spell your last name?"

Carmine Dellaquila: "D-E-L-L-A-Q-U-I-L-A."

Supervisor Kozakiewicz: "Okay, thank you."

Elias Kalogeras: "Elias Kalogeras, K-A-L-O-G-E-R-A-S."
Charles Voorhis: "And Charles Voorhis."

Supervisor Kozakiewicz: "Okay. Do you, if I may ask you all to raise your right hands? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

(Collective response): "Yes."

Supervisor Kozakiewicz: "Thank you."

Stuart Stein: "Thank you, Mr. Chairman, good evening ladies and gentlemen of the Board and members of the public who have come this evening expressing an interest."

This is an application under Section 108-3 of the Town Code for a special use permit for a movie theater and two restaurants. The property which is the subject of this application is located on the north side of Route 58 approximately 1,300 feet west of the intersection with Mill Road. The property is the former Hazeltine property and the entire piece that the applicant owns is comprised of 66 acres."

Supervisor Kozakiewicz: "I've got to ask you to stay by the mike, unfortunately, make sure we have it all on the record. So if this- "

Stuart Stein: "The property is- the subject of this application is approximately 17 acres. The entire piece that's owned by the applicant is six acres. As show on this aerial- Carmine, turn it around the other way so the Board can see it. Okay. As shown on this aerial we've outlined the area of the property that's the subject of

the application. Submitted with the application, of course, was a preliminary site plan which designated the property for which we're asking for the special use permit.

We have no current plans for the rear portion of the property. This application tonight deals only with the front portion.

The property is adjoined on the west by a Nissan dealership. To the rear of our total parcel is the Foxwood residential property. And to the east is Mill Road and the mobile home park. A detailed draft environmental impact statement was prepared by Nelson, Pope and Voorhis. We had our hearing, the final impact statement was prepared and accepted.

The property is currently zoned A-1 Light Industrial and the property is located in the Municipal Sewer District.

We're seeking your approval for a special use permit, first, for a movie theater to be leased and operated by Marquee Cinemas Inc. Marquee is a West Virginia company which operates theaters in the mid-Atlantic region and is now opening theaters in New Jersey and in New York. They have already opened one in Connecticut. Their first New York theater is going to be opening soon in Staten Island and if you grant this special use permit, their second movie theater will be in Riverhead, New York.

I'm going to hand up now the on line brochures for Marquee Cinemas. As you can see from the rendering, the theater is entirely modern and dramatic in structure and their seating is state of the art stadium seating. They have surround sound or equivalent audio facilities and in addition they have video conferencing facilities built in so that local companies with national affiliations or national companies with local factories or offices can participate in the new world of video conferencing.

You will note as you go through the on line brochure that they have very attractive employee packages, on line training for their employees, tuition assistance plans, and 401-K plans.

At the Riverhead site they intend to operate from noon to midnight, seven days a week, 365 days a year. They will have a total payroll of between 75 and 100 people with a maximum staffing at any one shift of 25 to 30 people.

The theater itself will be approximately 55,000 square feet and will have between 12 and 14 screens. There will be a total of approximately 2500 seats and 846 parking stalls which meets the town's requirements. The Marquee Theater has a look that you will note on the easel which is dramatic and striking and I think which will serve

as a designation location. For those coming to the movies, it will be an attractive asset.

They- we have two alternative renderings. The one that's now facing the Board, would be if the site plan ends up with a side entrance, and the one facing the audience which is substantially similar, is if it's a center entrance. Access to the theater will be from an interior road to be developed subject to approval of your Planning Board and the road will have access to Route 58.

We feel particularly the movie theater will be a strong asset to the town. There is not a meaningful multi-screen cinemaplex within a long distance commute for the residents of this town.

Our application tonight also asks a special use permit for restaurant uses on the property. As you will see from the plan which is part of our application, we are seeking approval of two restaurant sites. We have already in place a contract with Brinker International which is a publicly traded company for development of the westerly restaurant site as a Chili's Restaurant. I'm going to hand up to the Board members now with your permission the renderings of what the Chili's exterior will look like together with a typical Chili's menu.

I trust you've had the opportunity to have dinner, so the Chili's menu by itself should not instill immediate hunger. It will in me because I haven't had dinner, I'm nervous.

The Chili's menu is essentially Tex-Mex. That's their theme but they do have the plain hamburgers. They do serve half portions for as a children's menu and they do have a selection which appeals to the entire family. Their prices are family oriented and they have been quite successful where they have opened on Long Island.

We do not yet have a firm commitment for the other (inaudible).

We are aware that in seeking your permission for a restaurant, that we have a neighbor, Appleebee's, and at the last Town Board meeting I attended, there was discussion about more restaurants coming along Route 58. We do feel that Chili's because of its Tex-Mex format is family pricing, does have a place here. The movie theater has indicated that a restaurant- at least one restaurant is critical to them opening and being successful. They don't want to be by themselves. And the traffic patterns along Route 58 and the proximity of the Tanger Outlet, I think indicate there's sufficient volume, sufficient demand for this type of restaurant.

Chili's offers a modern attractive facility, will have seating for approximately 200. We've designed it with 129 parking stalls which meet your requirements and they're even more stringent requirements.

As you go through Chili's menu, you will notice that there is a selection of what they call guiltless low-fat selections which is particularly appropriate for those of us who maybe ate a little too much during the Christmas and New Year holidays. Chili's will have an overall payroll of 100 employees with a peak shift of 26 at any one time. They plan their restaurant- you will see from the site plan- so that traffic will flow around it. We've discussed with the Chili's representatives, the town's desire to provide a meaningful buffer off of Route 58 and they are aware of that and we will pay close attention to that when we get to the site plan design stage.

I believe this project, the movie theater and the two restaurants, fits within the intentions and the goals of the proposed master plan. Although the master plan has not yet been adopted, we understand that this property would be designated as a designation retail center zone and we feel that the movie theater which is certainly a destination use and restaurants which provides services for these uses are completely compatible with the proposal as well as meritorious of a special use permit within the existing zone classification.

The requirement for a special use permit are set forth in Section 108-3 of your code and the requirements to be considered in determining whether we are meritorious of a special use permit are first, that the use will not prevent or substantially impair either the reasonable and orderly use of reasonable and orderly development of other property in the neighborhood. The proposed movie theater and restaurants do satisfy this requirement. We will have on site parking, on site drainage, adequate buffers. We will not only not prevent or impair reasonable development, but I think with a campus type setting which we will endeavor to obtain, we would promote and encourage orderly development of other sites in the neighborhood.

The second consideration is whether there are hazards or disadvantages to the neighborhood from the proposed uses which are outweighed by the advantages to be gained either by the neighborhood or by the town as a whole. I would suggest, obviously since I'm the applicant, that the proposed uses do not present any hazards or disadvantages. And certainly the presence of a modern multiplex in the town is a tremendous advantage to the neighborhood and to the town and the restaurants will provide a worthwhile service, particularly in conjunction with the movie theater.

The third consideration is whether the health, safety, welfare, comfort, convenience or order of the town will be adversely affected by the requested uses. The proposed uses do not have any component that would compromise health, safety, welfare, convenience or order. Indeed, with the presence of the theater and family style restaurants,

the convenience of the town's residents and neighbors will be significantly increased in the ratables generated by these buildings, will only benefit the entire town.

The fourth consideration is whether the use will be in harmony with and promote the general purposes and intent of the zoning code. Right now, the zoning code permits light industrial uses. I would suggest that based on the changes going on today on Route 58, a light industrial use probably is not good planning for land use. And I would suggest that this kind of recreational facility and restaurants are more compatible with the long range goals of the town in implementing its zoning code and especially with the master plan.

The movie theater and restaurant will promote by providing good land use criteria.

Other factors which are set forth in 108.3 may be considered by the town. These factors are dealt with somewhat at length in Section 1.4 of our final environmental impact statement and I would like to only briefly summarize a few of these items as they significantly affect this application.

First. The site is suitable for the uses. As I have indicated, it's zoned Industrial A and this use presents a less intense use, a less intensive use than the zoning would otherwise permit. The site has sufficient area for the uses. We're not trying to shoehorn in an intense use in an undersized lot. We're not asking for parking variances or side yard variances. The site has area that is sufficient for its uses and it is not located unsuitably nearby to a church, school, other theater, recreational area, or place of public assembly. There is a small outdoor recreational facility having a miniature golf range and a batting cage rather close but I think this outdoor facility will not conflict with our indoor facility and, in fact, they will probably complement each other providing a afternoon or a day's recreation for the town's residents.

There will be appropriate buffering as required by this Town's Planning Board. Storm water runoff will be contained in an on site draining system as required.

In conclusion, I respectfully submit that the theater and the restaurants will comply with the criteria for granting a special use permit. They will be an asset to the town. They will fill a need which we believe the town has and they will provide a convenience and benefit for the residents of the town.

With me this evening, the gentlemen who you have sworn in, are my partner Carmine Dellaquila, an active and experienced developer on Long Island for over 35 years, Lou Kalogeras, our engineer who has

been working on and shall continue to work on our site plan through the site plan development stage, and Charles Voorhis of Nelson, Pope and Voorhis who has prepared, revised as requested by this Board and the Planning Board, and prepared the final environmental impact statement.

Ladies and gentlemen, we welcome any comments or questions that this Board has or that the public here this evening would have. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "I have a question. I'm sorry I can't see you. I've got this banner in the way. Is there any thought of doing this project, proposed project, in phases. In other words, like quite possibly you would build restaurants and then later build the theater, or is this all one project? Do you have any intention on possibly phasing it or, you know- "

Stuart Stein: "Right now, we're looking at phase I which will be the Chili's restaurant and the movie theater. They both want to open within six months of each other. They both see a mutual inter-dependence. The second stage may be the easterly restaurant pad site only because we don't yet have a firm commitment for that one."

Councilman Densieski: "Okay. So the theater you're talking about would be in phase I?"

Stuart Stein: "Absolutely."

Councilman Densieski: "Okay. That was my question."

Stuart Stein: "Absolutely."

Supervisor Kozakiewicz: "I think he wants to make sure that that's coming, the theater. In other words, that's not going to be put on the wayside, put over here and everything else is going to happen and the theater someday down the road?"

Stuart Stein: "We are under a firm signed lease with the movie theater which is subject only to our obtaining the site plan approval and the building permit. There are no other contingencies. The financing has already been committed."

Councilwoman Blass: "Is it also safe to assume that there would be ultimately a phase 3 that would involve the balance of the property?"

Stuart Stein: "That's not part of this application. We sincerely hope there will be a development of the balance of the

property. Frankly, we are waiting to see how the master plan evolves to give us guidance as to how best to develop that."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Any other questions from the Board? Mr. Stein, are you going to be calling anybody else as far as the individuals we identified earlier who were sworn in or are you going to wait to hear comments from the public?"

Stuart Stein: "I'd like to hear comments from the public and if needed- "

Supervisor Kozakiewicz: "Because I think that's the way we should do it because you made a very thorough presentation so it would seem to me that we can open it up to hear from the people in the public and see what they have to say."

Stuart Stein: "Thank you very much, Mr. Supervisor."

Supervisor Kozakiewicz: "Saying that, is there anybody that is here to address the Board with respect to this special permit application of Marquee Cinemas? Mr. Stark. Your name and address for the record?"

Douglas Stark: "Douglas Stark, Ostrander Avenue, Riverhead."

Supervisor Kozakiewicz: "Dawn, will you swear him in?"

Dawn Thomas: "Mr. Stark, do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Douglas Stark: "I'm not here to object to the Marquee Theater. God knows we've needed a theater in this town for quite some time. But I am or Foxwood Corp. is in reverse to what Mr. Stein said, the eastern boundary of this entire parcel. In that strip of land that goes down, we have our utilities, vaults for the utilities and maintenance and very often it's open to digging and such like that.

My concern is I've talked to Stuart and Carmine many a time, we've tried to negotiate a deal whereby they could take this property but that fell through. I just want to be able to state to the Board that or request to the Board that they acknowledge our strip of land and that in the development of this property, that the public be refrained from encroaching on it due to the fact that we use this property and also as Mr. Stein said it would be accessible from the batting cage and I would like that in there somehow or other so that those people have to go around to Route 58 to access this property.

I suppose maybe this is not the place to do this but the Planning Board is the proper place, but you called for comments and those are our comments. We are in favor of the Marquee and the restaurants, particularly our residents."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to the special permit before us? Rolph Kestling."

Rolph Kestling: "Roloh Kestling, Wading River. First of all, may I say that I'm in favor of the movie house- and the restaurant."

Supervisor Kozakiewicz: "We're going to have to- "

Rolph Kestling: "Oh, excuse me."

Dawn Thomas: "Mr. Kestling, do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Rolph Kestling: "I do. As I continue to say, I am in favor. It's about time. But the question is, are we going to have a senior citizen discount? Thank you."

Supervisor Kozakiewicz: "Nothing like putting him on the spot, Rolph. Anybody else who would like to address the Board with regard to the special permit petition? Yes, Eddie Meyer. Eddie, as you're coming up, you are going- if you would, state your name and address and then we have to have you sworn in."

Ed Meyer: "My name is Ed Meyer, 144 South Jamesport Avenue, South Jamesport."

Dawn Thomas: "Mr. Meyer, do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Ed Meyer: "I do, yes. Okay. I'm Ed Meyer, a resident of the town and also am the owner of the- everybody keeps talking about the little batting cage and such that's right there. I'm him. I'm that guy. And as that guy I welcome you. I mean I agree with Mr. Stein's statements that I think we're good for each other. I think for each individual dollar we compete at that moment, but overall that's short-very shortsightedness in the big picture. People are coming looking for some fun to do maybe they go to his place three times and my place once- "

Supervisor Kozakiewicz: "Or the other way around, right?"

Ed Meyer: "-- at least once, as long as they come once, that's good enough for us. We'd be real happy to have them there as neighbors and as the rest of the town, I agree with everybody else, we need a movie theater a lot so good luck and I hope things work out for you."

Supervisor Kozakiewicz: "Thank you so much. Anybody else who would like to address the Board? Not seeing anybody else indicate a desire to do so, close the public hearing, the time being 7:37 p.m."

Public Hearing closed: 7:37 p.m.

Supervisor Kozakiewicz: "And what I'm going to do is bring back up the other proceeding which we had held over while we were looking to gain a date. Mr. Arnoff left, but just so that the record- what we will do is we will note for the record and, hopefully, the Board members will agree, we're going to be referring the petition to the Zoning Board of Appeals. That is the prior special permit petition of Peter Soullas and the date that we've determined is April 22, 2003. That will be April 23, 2003 and unless there's any objection that hearing will be adjourned over to that date, April 22, 2003."

At this time, I think that's- at this time that being the sum and substance of the public hearings scheduled for this evening, this is an opportunity to have comments addressed to us with respect to the resolutions which are on before the Board.

As I indicated, there will be an additional resolution which will be brought in to be addressed today which will be dealing with that special permit petition of Peter Soullas and it will be referring the application to the Zoning Board of Appeals to address the issues mentioned previously.

Anybody who wishes to address- yes, Sal Mastropolo, please."

Sal Mastropolo: "Sal Mastropolo, Calverton. Before you get into the resolutions, is this a typo in the agenda, awards two bids, \$23,620 and \$429,622? One must be made of gold and the other one is made of wood, huh?"

Barbara Grattan: "Yeah. One is 23 and one is 29."

Sal Mastropolo: "Twenty-nine. Okay so if this is- "

Barbara Grattan: "That four should be a (inaudible)."

Sal Mastropolo: "If this is part of the record, then it should

Councilman Lull: "Thank you, Sal."

Sal Mastropolo: "Okay. Getting into the resolutions. There are five resolutions on public hearings, 31, 32, 37, 38 and 40 and all five of them have bad dates in them. So if they go to the newspaper the way they are, public hearings are going to be on a Wednesday and on a Friday. Or did I miss something this year? We're now doing Town Board meetings on Wednesdays and Fridays."

Supervisor Kozakiewicz: "The 22nd of January is, in fact, the hearing date due to the fact that that week there is a Monday holiday."

Sal Mastropolo: "Okay. That's good. How about the 18th, #32 says the 19th. The 19th, let's see, no, I'm sorry. February 19th is a Wednesday. Is that a holiday that week as well?"

Councilwoman Sanders: "Yes. President's- "

Sal Mastropolo: "So then we have Town Board meetings on Wednesday?"

Supervisor Kozakiewicz: "Two of them in the beginning of the year, yes."

Sal Mastropolo: "Okay. #37 has a public hearing on the 7th which is a Friday."

Barbara Grattan: "What resolution number?"

Councilwoman Sanders: "Number 37."

Sal Mastropolo: "Number 37."

Councilman Lull: "Thirty-seven, Barbara. Those have 7th day of February."

Supervisor Kozakiewicz: "That should be the first Tuesday of February. It shouldn't be the Friday, so that should be- "

Sal Mastropolo: "Okay. So that's got to be corrected. It should be February 4th."

Supervisor Kozakiewicz: "Right."

Sal Mastropolo: "Okay. Those are my only comments."

Councilman Lull: "Good."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to- "

Councilman Densieski: "Thank you, Sal."

Supervisor Kozakiewicz: "-- address the Board with regard to resolutions? We do need one that's- was tabled last meeting."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "If there's nobody else, we'll take up resolutions."

Resolution #1

Councilman Densieski: "Sets salaries of elected officials for the year 2003. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "For reasons previously stated in other meetings- in Town Board meetings, no."

The Vote (Cont'd.): "Blass, no; Densieski."

Councilman Densieski: "Yeah, the Highway Superintendent, the Town Justices, the Assessors, the Receiver of Taxes, people like that don't get to vote if they get a cost of living increase or not. Their salaries are left up to the Town Board. So I think if you want to vote no for your own salary, that's fine, but voting no for these people who have no say in their own salary, I'm not sure if that's correct. I don't think a cost of living or about a cost of living percentage increase is so severe.

For myself, I think that I work very hard. I think I've got some accomplishments. In my Suffolk Life questionnaire four years ago, they asked if I would ever vote myself a raise and I answered yes. I don't think this is something that is earth shattering. Cost of living doesn't seem unreasonable to me. I'm going to vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #2

Councilwoman Sanders: "Sets salaries of various boards for the year 2003. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Most of these Boards are- you could almost call them volunteer. They're very, very low paid. They do it because they value the community they live in. So I'm going to vote yes on these salaries."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #3

Councilman Lull: "Sets salaries for police officers for the year 2003. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #4

Councilman Densieski: "Sets salaries of program employees for the year 2003. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #5

Councilwoman Sanders: "Sets salaries of Highway Department for the year 2003. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #6

Councilwoman Blass: "This resolution sets salaries of the Water District employees for the year 2003. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Last year was one of the hottest summers on record and Gary and the guys in the Water District kept the water pumping and there was no water shortage in Riverhead. I'm going to vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #7

Councilman Lull: "Sets the salaries of the Sewer and Scavenger Waste District for the year 2003. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes;

Kozakiewicz, yes. The resolution is adopted."

Resolution #8

Councilwoman Sanders: "Sets salaries of Refuse and Garbage Collection District for the year 2003. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yes. Our sanitation program is not the greatest thing in the world but it's far better than anything on eastern Long Island, I can guarantee you that. Because I know quite a bit about the garbage issues on eastern Long Island and Riverhead's is pretty darn good. I'll vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #9

Councilwoman Blass: "Sets salaries of the Street Lighting District for the year 2003. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #10

Councilman Densieski: "Resolution 10 sets salaries of Public Parking District for the year 2003. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, no; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #11

Councilman Lull: "Sets salaries of Municipal Garage employees for the year 2003. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yeah. These are the guys that keep the fleet running. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #12

Councilman Densieski: "Sets salaries of general town employees for the year 2003. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Sanders: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Sanders: "I'd like to make an amendment on the position for Bingo inspector and leave it- take Mr. McGoey's name off being that he resigned effective the end of December and leave it as a vacancy."

Councilman Lull: "Vacancy. Correct."

Supervisor Kozakiewicz: "Okay. Any other discussion? Okay. So a motion to amend it to read vacancy and I assume we're going to take it up and vote on it as amended. It was moved and seconded?"

Councilwoman Sanders: "Yes, it was."

Supervisor Kozakiewicz: "All right."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yeah. This sets all the salaries for everybody in town. You can nit pick and say well, this guy does a great job and this gal does a great job but it's all one resolution. We really don't get the chance to say who's not paid enough and who's overpaid."

Personally, I really don't like the percentage system for pay raises. Somebody making \$100,000 a year gets a 3% increase, that's a pretty good number. Where somebody working in the Highway Department making \$30,000, doesn't make out so good. Quite possibly another way to do it would be to calculate the dollars that the entire raise will be for for that year and give the employees a dollar raise instead of a percentage raise and in this way the parody would always remain the same. Now the higher paid employees are continually getting higher. So just a thought for the future. In the meantime, I'll vote yes."

The Vote (Cont'd.): "Lull."

Councilman Lull: "I trust that you'll be part of the bargaining committee."

Councilman Densieski: "If the Supervisor wants me to, I will."

Councilman Lull: "Yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "Oh good. I like that opening. Can we make sure we have that clearly written in bold in the record?"

Barbara Grattan: "Could you repeat that again?"

Councilman Densieski: "Yeah."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #13

Councilwoman Blass: "This resolution authorizes an inspector to attend classes. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #14

Councilman Densieski: "Authorizes Markowitz, Fenelon & Bank, LP to conduct an annual audit of the records of the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I can guarantee the general public out there that I am going to read this with a fine tooth comb. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yeah. This is a resolution which I want to emphasize a little bit. By state law every year we must have our books audited and it must be done by a certified public accountant or a CPA. This resolution authorizes that action to be taken. It's something that we must do every year and then every other couple of years the state comes down and checks them as well. So, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #15

Councilman Lull: "Excuse me, 15 designates the Suffolk County National Bank, the North Fork Bank, Fleet Bank, Chase Bank, Citibank, Commercial Bank, and the Bank of New York to be designated as official depositories for the town. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #16

Councilwoman Blass: "This resolution amends Resolution #1295. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I believe this resolution- the amendment is the change of the start date of the petition."

Councilman Densieski: "That's correct."

Supervisor Kozakiewicz: "That's right."

Councilwoman Sanders: "Yes."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #17

Councilwoman Sanders: "Reappoints legal representation, planning consultants, engineering, computer, court reporter, board transcription, appraisers, land surveyors and interpretation consultants. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #18

Councilman Densieski: "18 is Riverhead Town reestablishes terms and conditions of the Deputy Town Attorney. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yeah. Sean is doing a good job and we just- the Town Attorney's office just won another landmark decision thanks to Dawn over here and her crew, so I'm going to vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #19

Councilwoman Sanders: "Appoints James Fetten to the Architectural Review Board. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "We've got some very talented people on the ARB but one of the facets that's been missing is somebody from the sign industry and Jim Fetten is going to be a good addition to that board. I'm going to vote yes."

The Vote (Cont'd.): "Lull."

Councilman Lull: "Yes. Bringing a professional sign person on the Board with the ARB, is a good move. Yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "I agree with the comments. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #20

Councilwoman Blass: "This resolution reappoints the Chairman of the Zoning Board of Appeals, that being Mr. Marty- Martin Keller. So

moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I had the opportunity to work on the Zoning Board with Marty a couple of years and he's very worthy of his position and does a great job for the town. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #21

Councilman Lull: "Reappoints Fred McLaughlin as the Vice-Chairman of the ZBA. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #22

Councilman Densieski: "Reappoints Dick O'Dea Chairman of the Riverhead Planning Board. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #23

Councilwoman Sanders: "Reappoints Vice-Chairman of the Riverhead Planning Board, Joe Baier. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #24

Councilman Lull: "Reappoints Julie Bowman to the Riverhead Planning Board. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #25

Councilman Densieski: "Reappoints the Town Historian, Georgette Case. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #26

Councilman Lull: "Sets towing and storage fees. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #27

Councilwoman Sanders: "Sets mileage allowance, that is pursuant to the IRS rate of mileage compensation. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #28

Councilwoman Blass: "This resolution maintains a policy of nondiscrimination. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #29

Councilman Lull: "Authorizes the Supervisor to execute an agreement with Jacqueline O'Sullivan for transcribing board meetings. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #30

Councilman Densieski: "Authorizes the Supervisor to exercise an agreement with Margaret Schiefer for Justice Court stenographer. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #31

Councilwoman Blass: "This resolution authorizes publication of the public hearing notice for use of municipal services-- or facilities, excuse me. So moved."

Councilwoman Sanders: "You're excused."

Councilwoman Blass: "Thank you."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #32

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post notice of public hearing for a special permit of Heritage Property Investment, LP (CVS Pharmacy). So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #33

Councilman Densieski: "Resolution 33 is a resolution calling for a public hearing for Millbrook Gables Development lateral water main Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes;

Kozakiewicz, yes. The resolution is adopted."

Resolution #34

Councilwoman Blass: "This resolution authorizes the publication of a notice to amend the Community Development Block Grant Program. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "This is going to move \$10,149.07 to the Vail-Leavitt restoration which is- I checked the other day, is coming along pretty good. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "As pointed out by my colleague, it's a project that's been out there for quite some time. The situation availed itself so we could shift some money to the Vail-Leavitt. I believe it's the right thing to do. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #35

Councilman Lull: "Is a land acquisition budget adjustment for water plant #11. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #36

Councilwoman Sanders: "Authorizes purchase of plant 11 property for the Riverhead Water District. So moved."

Councilman Lull: "And second. Isn't this the one we just- "

Supervisor Kozakiewicz: "No. The other one was an amendment to allow for the additional \$800."

Councilman Lull: "No. This one we just amended already. So. Okay."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #37

Councilman Lull: "Authorizes the Town Clerk to publish and post a public notice to consider the purchase of a parcel located in the Town of Riverhead owned by Irma G. Murphy, known of course by most- to most of you as Irma's Diner. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "As pointed out by Mr. Mastropolo, the hearing date should be the 4th of February, not the 7th. I vote yes."

Barbara Grattan: "Got it. The resolution is adopted."

Resolution #38

Councilman Densieski: "Authorizes the Town clerk to post and publish a public notice of a public hearing to consider a proposed local law for an amendment to Chapter 95 entitled Taxation of the Riverhead Town Code which is an exemption for volunteer firefighters and volunteer ambulance workers. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #39

Councilwoman Blass: "This resolution adopts a local law amending Chapter 45 entitled Alarm Systems of the Riverhead Town Code. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I'd just like to thank the people that did all the work on this and that's Officer Tim Buckley from the Riverhead Police Department and our own Deputy Sean Walter- Deputy Attorney Sean Walter. They both did most of the work on this and I want to thank them. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yeah. I want to add to that. Officer Buckley was, in fact, was the one who compiled all the statistics to show how many false alarms we see in the Town of Riverhead and it's quite considerable and really taxes our town police department and, hopefully, this may help calm that down a little bit now that we will have a mechanism to collect some monies for these type of occurrences. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #40

Councilman Lull: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. This resolution deal with penalties for site plan violations. Yes, indeed."

The Vote (Cont'd.): "Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #41

Councilwoman Sanders: "Approves the application of the Riverhead Business Improvement District Management Association - Blues Festival. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #42

Councilman Densieski: "Authorizes the Supervisor to execute an agreement with Peconic Land Trust. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #43

Councilwoman Blass: "This resolution reduces the irrevocable letter of credit of the subdivision entitled Northside Road Subdivision. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "How come I didn't get this one?"

Councilwoman Sanders: "I don't know. I'm disappointed."

Councilman Densieski: "Yes."

Councilwoman Blass: "I'll trade you next time, Ed."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I was just going to question that. Who's preparing and putting the names on here, they goofed up. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #44

Councilman Lull: "Reduces the performance bond of the condominium development entitled Wading Woods. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #45

Councilwoman Sanders: "Accepts performance bond of Birchwood at Wading River Section 2 a/k/a The Links at Wading River. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #46

Councilwoman Blass: "This resolution authorizes the release of a performance bond letter of credit for Great Rock Golf Course. So

moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #47

Councilman Densieski: "Resolution 47 is a resolution authorizing the Supervisor to execute a change order regarding Riverhead Water District Extension No. 56, Sunken Pond Estates, Section 2. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #48

Councilman Lull: "Authorizes the Supervisor to execute a change order for the Riverhead Water District Extension No. 70, Mid Road Properties. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #49

Councilwoman Blass: "This resolution authorizes the Town Clerk to advertise for bids for traffic signs and related items. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #50

Councilman Densieski: "Authorizes the Town Clerk to advertise for bids on a litter vac machine. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #51

Councilman Lull: "Authorizes the Town Clerk to advertise for bids on precast concrete drainage rings and associated items. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #52

Councilwoman Blass: "This resolution authorizes the Town Clerk to advertise for bids for liquid calcium chloride. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #53

Councilwoman Sanders: "Authorizes Town Clerk to advertise for bids on traffic line striping. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #54

Barbara Grattan: "Resolution #54 to pay bills."

Councilman Lull: "So moved."

Councilwoman Sanders: "No."

Councilman Densieski: "(inaudible) this other one first or- "

Supervisor Kozakiewicz: "Well, the other one's got to come off the table. So, is there a second to pay the bills?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay. Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I told the Supervisor I was going to mention this during this vote and he correctly advised me that this is probably not the proper forum to do it but this is about paying bills- I'm going to do it anyway, this is about paying bills and as some of you know, I'm not absolutely happy with the performance of the Accounting Department and another matter has come to light that I'd like to bring to your attention and that's the overtime on January 1st, New Year's Day. I've called other local towns. None of them, towns twice as big as us, have no accounting employees on New Year's Day. It's an expensive- a very expensive percentage with overtime. I think for things that had to be closed out at the end of the year, I think you should have had them done by December 31st. You had all year to know that the end of the year is coming. Anything new could have been done on January 2nd. I personally don't believe the rollover that I'm sold here. My computer in my business, my computer in my home, guess what? They work just fine the next day. January 2nd everything was business as usual. I don't buy the rollover thing."

I don't think we had to have a purchasing agent working on January 1st at two and a half times the salary. Other towns don't have to do it. Yes, I understand it might have made things go just a little bit smoother come Thursday morning. I don't think it's proper. So with that said, I'm going to do a protest vote and vote no."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Well, as I said it was I didn't think the appropriate time, but and I hate to be defending people but I will point out something positive, so, our report, the controversial report to the county, went out already, January 7th, so if anything, a message was sent and the work was done and so, hopefully, we're the first one to file our report this year. I vote yes on the bills."

Barbara Grattan: "Okay, the bills are paid. 4 yes and 1 no. And, we've got some others?"

Supervisor Kozakiewicz: "Yes. We have the- "

Councilman Lull: "55."

Supervisor Kozakiewicz: "The resolution that's coming off the floor. As indicated this is to deal with the special permit application of Peter Soullas to the ZBA. Is there a motion."

Councilwoman Sanders: "Do you want me to move it? So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "And does anybody have a copy of that resolution?"

Councilman Densieski: "I do."

Barbara Grattan: "Good."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. That resolution is adopted."

Barbara Grattan: "Now we have a tabled resolution of Resolution #1307."

Supervisor Kozakiewicz: "That's correct."

Barbara Grattan: "Who wants to take it off the table?"

Councilman Densieski: "Move it."

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Moved and seconded to take it off the table."

Barbara Grattan: "Wait a minute, I'm still writing."

Supervisor Kozakiewicz: "Okay."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is off the table."

Supervisor Kozakiewicz: "Now we have to move it to vote."

Councilwoman Sanders: "Authorizes the attendance at the New York Fire Technology Fire Trade Show. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Thank you for supplying the backup to these seminars. I think that's something that if we start from the beginning of the year getting accustomed to that I know I read through it and I appreciate receiving it. Yes."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. That resolution is adopted."

Supervisor Kozakiewicz: "And I think that concludes resolutions. All right."

At this time, it's open discussion. Matters you want to bring to the Board. We do have a five minute rule. Anybody who wishes to address the Board? Thank you. Everybody have a wonderful New Year. Look forward to more meetings, motion to adjourn?"

Councilman Densieski: "Yes. Motion, motion."

Supervisor Kozakiewicz: "Thank you."

Meeting adjourned: 8:10 p.m.